

immediately forward a copy of the relevant sections of the Agency standards of conduct to that organization.

(d) Whenever a regular or special employee begins or terminates his or her employment with Peace Corps, the Office of Personnel Policy and Operations shall provide that employee with a copy of the rules found in §307.735–304 restricting a person's employment after leaving Peace Corps. Personnel shall also notify the DAEO when an employee terminates. One year after the date of termination the DAEO will instruct the Contracts Office to remove from the master list any organizations with which the terminated employee was associated unless other current employees are associated with those organizations. Six years after the date of termination the DAEO will destroy the statement of employment and financial interests.

## PART 308—IMPLEMENTATION OF THE PRIVACY ACT OF 1974

### Sec.

- 308.1 Purpose.
- 308.2 Policy.
- 308.3 Definitions.
- 308.4 Disclosure of records.
- 308.5 New uses of information.
- 308.6 Reports regarding changes in systems.
- 308.7 Use of social security account number in records systems. [Reserved]
- 308.8 Rules of conduct.
- 308.9 Records systems—management and control.
- 308.10 Security of records systems—manual and automated.
- 308.11 Accounting for disclosure of records.
- 308.12 Contents of records systems.
- 308.13 Access to records.
- 308.14 Specific exemptions.
- 308.15 Identification of requesters.
- 308.16 Amendment of records and appeals with respect thereto.
- 308.17 Denial of access and appeals with respect thereto.
- 308.18 Fees.

AUTHORITY: 5 U.S.C. 552a.

SOURCE: 50 FR 1844, Jan. 14, 1985, unless otherwise noted.

### §308.1 Purpose.

The purpose of this part is to set forth the basic policies of the Peace Corps governing the maintenance of systems of records containing personal information as defined in the Privacy

Act of 1974 (5 U.S.C. 552a). Records included in this part are those described in the aforesaid Act and maintained by the Peace Corps and/or any component thereof.

### §308.2 Policy.

It is the policy of the Peace Corps to protect, preserve and defend the right of privacy of any individual as to whom the agency maintains personal information in any records system and to provide appropriate and complete access to such records including adequate opportunity to correct any errors in said records. It is further the policy of the agency to maintain its records in such a fashion that the information contained therein is and remains material and relevant to the purposes for which it is collected in order to maintain its records with fairness to the individuals who are the subject of such records.

### §308.3 Definitions.

(a) *Record* means any document, collection, or grouping of information about an individual maintained by the agency, including but not limited to information regarding education, financial transactions, medical history, criminal or employment history, or any other personal information which contains the name or personal identification number, symbol, photograph, or other identifying particular assigned to such individual, such as a finger or voiceprint.

(b) *System of Records* means a group of any records under the control of the agency from which information is retrieved by use of the name of an individual or by some identifying number, symbol, or other identifying particular assigned to the individual.

(c) *Routine Use* means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which it was collected.

(d) The term *agency* means the Peace Corps or any component thereof.

(e) The term *individual* means any citizen of the United States or an alien lawfully admitted to permanent residence.

## Peace Corps

## § 308.5

(f) The term *maintain* includes the maintenance, collection, use or dissemination of any record.

(g) The term *Act* means the Privacy Act of 1974 (5 U.S.C. 552a) as amended from time to time.

### § 308.4 Disclosure of records.

The agency will not disclose any personal information from systems of records it maintains to any individual other than the individual to whom the record pertains, or to another agency, without the express written consent of the individual to whom the record pertains, or his or her agent or attorney, except in the following instances:

(a) To officers or employees of the Peace Corps having a need for such record in the official performance of their duties.

(b) When required under the provisions of the Freedom of Information Act (5 U.S.C. 552).

(c) For routine uses as published in the FEDERAL REGISTER.

(d) To the Bureau of the Census for uses pursuant to title 13.

(e) To an individual or agency having a proper need for such record for statistical research provided that such record is transmitted in a form which is not individually identifiable and that an appropriate written statement is obtained from the person to whom the record is transmitted stating the purpose for the request and a certification under oath that the records will be used only for statistical purposes.

(f) To the National Archives of the United States as a record of historical value under rules and regulations of the Archives or to the Administrator of General Services or his designee to determine if it has such value.

(g) To an agency or instrumentality of any governmental jurisdiction within the control of the United States for civil or criminal law enforcement activities, if the activity is authorized by law, and the head of any such agency or instrumentality has made a written request for such records specifying the particular portion desired and the law enforcement activity for which the record is sought. Such a record may also be disclosed by the agency to the law enforcement agency on its own initiative in situations in which criminal

conduct is suspected: *Provided*, That such disclosure has been established as a routine use or in situations in which the misconduct is directly related to the purpose for which the record is maintained.

(h) In emergency situations upon a showing of compelling circumstances affecting the health or safety of any individual provided that after such disclosure, notification of such disclosure must be promptly sent to the last known address of the individual to whom the record pertains.

(i) To either House of Congress or to a subcommittee or committee (joint or of either house) to the extent the subject matter falls within their jurisdiction.

(j) To the Comptroller General, or any of his authorized representatives, in the course of the performance of the duties of the General Accounting Office.

(k) Pursuant to an order by the presiding judge of a court of competent jurisdiction. If any record is disclosed under such compulsory legal process and subsequently made public by the court which issued it, the agency must make a reasonable effort to notify the individual to whom the record pertains of such disclosure.

(l) To consumer reporting agencies as defined in 31 U.S.C. 3701(a)(3) in accordance with 31 U.S.C. 3711, and under contracts for collection services as authorized in 31 U.S.C. 3718.

### § 308.5 New uses of information.

The agency shall publish in the FEDERAL REGISTER a notice of its intention to establish a new or revised routine use of any system of records maintained by it with an opportunity for public comments on such use. Such notice shall contain the following:

(a) The name of the system of records for which the new or revised routine use is to be established.

(b) The authority for maintaining the system of records.

(c) The categories of records maintained in the system.

(d) The purpose for which the record is to be maintained.

(e) The proposed routine use(s).

(f) The purpose of the routine use(s).